

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DWAYNE REED,

Plaintiff,

v.

JOHN DOE, et al.

Defendants.

Case No. 12-cv-12544

UNITED STATES DISTRICT COURT JUDGE
GERSHWIN A. DRAIN

UNITED STATES MAGISTRATE JUDGE
MICHAEL J. HLUCHANIUK

**ORDER ACCEPTING AND ADOPTING REPORT AND RECOMMENDATION [49]; DISMISSING
COMPLAINT [1] WITH PREJUDICE; AND TERMINATING DEFENDANTS' MOTIONS FOR
SUMMARY JUDGMENT [39] [40] AS MOOT**

This matter is before the Court on the Defendants' Motions for Summary Judgment. *See* Dkt. Nos. 39, 40. The matter was referred to Magistrate Judge Michael J. Hluchaniuk, who issued a Report and Recommendation on May 5, 2015, recommending that the Court dismiss the Plaintiff's Complaint in its entirety with prejudice pursuant to Federal Rule of Civil Procedure 41(b). *See* Dkt. No. 49 at 7-8. Additionally, Magistrate Judge Hluchaniuk recommended that this Court terminate the Defendants' Motions for Summary Judgment as moot. *See id.* at 8.

Neither party has filed objections to the Magistrate Judge's Report and Recommendation, and the time for filing objections has expired. *See* 28 U.S.C. § 636(b)(1)(C). Upon review of the parties' briefing and the Magistrate Judge's Report and Recommendation, the Court concludes that the Magistrate Judge reached the correct conclusion. Therefore, the Court **HEREBY ACCEPTS** and **ADOPTS** Magistrate Judge Michael J. Hluchaniuk's Report and Recommendation [49] as this Court's findings of fact and conclusions of law. Plaintiff's

Complaint [1] is **HEREBY DISMISSED WITH PREJUDICE**. Defendants' Motions for Summary Judgment [39] [49] are **HEREBY TERMINATED** as **MOOT**.

SO ORDERED.

Dated: May 27, 2015

/s/Gershwin A Drain
HON. GERSHWIN A. DRAIN
United States District Court Judge